

ESTTA Tracking number: **ESTTA263274**

Filing date: **01/28/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

|                           |  |
|---------------------------|--|
| Proceeding                | 91187822   |
| Party                     | Plaintiff<br>uBid, Inc.  |
| Correspondence<br>Address | Lee J. Eulgen<br>Neal Gerber & Eisenberg LLP<br>2 N. LaSalle Street, Suite 2200<br>Chicago, IL 60602<br>UNITED STATES<br>leulgen@ngelaw.com, gleighton@ngelaw.com, hschroeder@ngelaw.com |
| Submission                | Withdrawal of Opposition   |
| Filer's Name              | Lee J. Eulgen  |
| Filer's e-mail            | leulgen@ngelaw.com, gleighton@ngelaw.com   |
| Signature                 | /Lee J. Eulgen/  |
| Date                      | 01/28/2009   |
| Attachments               | Joint_Motion_to_Dismiss.pdf ( 2 pages )(9519 bytes )   |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

|                                    |   |                          |
|------------------------------------|---|--------------------------|
| In the Matter of Application       | ) |                          |
| Serial No.: 76/671,087             | ) |                          |
|                                    | ) |                          |
| Published in the Official Gazette  | ) |                          |
| On June 3, 2008                    | ) |                          |
|                                    | ) |                          |
| uBid, Inc.,                        | ) |                          |
|                                    | ) |                          |
| Opposer,                           | ) | Opposition No.: 91187822 |
| v.                                 | ) |                          |
|                                    | ) |                          |
| IBidMotors Corporation New Jersey, | ) |                          |
|                                    | ) |                          |
| Applicant.                         | ) |                          |

**JOINT MOTION TO DISMISS OPPOSITION**

Opposer, uBid, Inc., and Applicant, IBidMotors Corporation New Jersey, hereby jointly move the Board for an order dismissing the above captioned proceeding. The parties have reached a resolution of Opposer's claim against Applicant.

WHEREFORE, the parties jointly request that the Board issue an order dismissing this proceeding.

Respectfully submitted,

Date: January 28, 2009

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| By: <u>    /Lee J. Eulgen/    </u><br>One of the Attorneys for Opposer, uBid, Inc.<br><br>Lee J. Eulgen<br>Gregory J. Leighton<br>Neal, Gerber & Eisenberg LLP<br>Two North LaSalle Street<br>Suite 1700<br>Chicago, Illinois 60602-3801<br>(312) 269-8000 | By: <u>    /Royal W. Craig/    </u><br>One of the Attorneys for Applicant,<br>IBidMotors Corporation New Jersey<br><br>Royal W. Craig, Esq.<br>Ober, Kaler, Grimes & Shriver<br>A Professional Corporation<br>120 E. Baltimore Street<br>Baltimore, MD 21202<br>(410) 685-1120 |
|--|--|

**CERTIFICATE OF SERVICE**

I, Gregory J. Leighton, an attorney, state that I will cause a copy of the foregoing Joint Motion to Dismiss Opposition to be served upon:

Royal W. Craig  
Ober/Kaler  
120 East Baltimore Street  
Baltimore, MD 21202-1643

via First Class U.S. Mail, postage prepaid, on the 28th day of January, 2009.

/Gregory J. Leighton/  
Gregory J. Leighton